

HJR 19 -- HEALTH CARE FREEDOM

SPONSOR: Bahr

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Health Care Policy by a vote of 6 to 2.

Upon voter approval, this proposed constitutional amendment specifies that each citizen has an inherent liberty that includes the autonomy to make decisions regarding lawful health care-related services or products and payment for those services or products. No government official or agency will have authority to compel any person, employer, or health care provider to participate in a health care system or to be penalized for not participating in a health care system nor to make a citizen's right to offer or accept direct payment for lawful health care services subject to any penalty, tax, fee, or levy. These provisions cannot prevent the state's courts from enforcing contracts or prevent the General Assembly from establishing laws that prohibit certain dangerous health care services, impose reasonably uniform regulation of the health insurance industry, or impose or collect uniformly imposed taxes for funding public health care programs if all the laws are consistent with all other constitutional provisions.

PROPONENTS: Supporters say that the constitutional amendment is meant to protect the rights of Missouri citizens. The person paying for health services is the client and the decision maker. When the payor is an insurance company or the government, all health care decisions are made by third parties unrelated to the patient. No insurance company employee or government employee is in a position to make health care decisions for a patient.

Testifying for the bill were Representative Bahr; Dr. Pamela Grow; James Coyne; Barbara Smith; Missouri Right to Life; Ron Calzone, Missouri First; and Mitchell Hubbard.

OPPONENTS: Those who oppose the bill say that it violates the 10th Amendment to the United States Constitution.

Testifying against the constitutional amendment was NARAL Pro-Choice Missouri.